

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

THE LOCAL SPOT, INC. d/b/a THE)	
LOCAL, et al.,)	
)	
Plaintiffs,)	NO. 3:20-cv-00421
)	JUDGE RICHARDSON
v.)	
)	
WILLIAM B. LEE, et al.,)	
)	
Defendants.)	
)	

ORDER

Pending before the Court is Plaintiffs’ “Motion for Temporary Restraining Order and/or a Preliminary Injunction” (Doc. No. 139, “Motion”).¹ In their memorandum of law (Doc. No. 140) in support of the Motion, Plaintiffs reference and rely upon the allegations in the Third Amended Complaint only (Doc. No. 128-1). (Doc. No. 140 at 2). However, Plaintiffs’ motion for leave to file the Third Amended Complaint remains pending before Magistrate Judge Newbern (Doc. No. 128). Accordingly, as Defendants aptly point out, (Doc. No. 143 at 18), the current operative complaint in this case is the Second Amended Complaint (Doc. No. 60).

The Court simply cannot consider a motion that relies upon a complaint that has not yet been made operative. Therefore, as currently framed, Plaintiffs’ Motion is premature. Thus, the Court will hold its ruling on the Motion in abeyance until Magistrate Judge Newbern issues her order on Plaintiffs’ motion for leave to file the Third Amended Complaint.

¹ Plaintiff previously filed the similarly titled “Motion for Temporary Restraining Order” (Doc. No. 31), which the Court denied in an order dated July 14, 2020 (Doc. No. 59).

IT IS SO ORDERED.


ELI RICHARDSON
UNITED STATES DISTRICT JUDGE